FILED
FEB 8 - 2008
OFFICE OF THE CLERK
SUPREME COURT, U.S.

No. 07-667

In The

Supreme Court of the United States

SOLOMON VEREEN,

Petitioner,

v.

DEUTSCHE BANK NATIONAL TRUST COMPANY, ET AL.,

Respondents.

On Petition For A Writ Of Certiorari To The Supreme Court Of The State Of Georgia

PETITION FOR REHEARING FROM DENIAL OF PETITION FOR A WRIT OF CERTIORARI

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PETITION FOR REHEARING FROM DENIAL OF PETITION FOR A WRIT OF CERTIORARI

The Petitioner herein respectfully moves this Court for an order (1) vacating the denial of the Petition for Writ of Certiorari, entered on January 14, 2008, and (2) granting the Petition. In the alternative, Petitioner herein respectfully moves this Court for an order (1) vacating the denial of the Petition for Writ of Certiorari, entered on January 14, 2008, and (2) granting the Petition and remanding the matter to the Supreme Court of the State of Georgia for proceedings consistent with the controlling federal bankruptcy law. As grounds for this motion, Petitioner states the following:

I. The Supreme Court of Georgia's ruling has been reported and is now considered precedent should any further similar situation arise. This will continue to expose the error made by the Supreme Court of Georgia's disregard of federal bankruptcy law, and thus, there still exists an unresolved and uncertain area of law.

There has been a clear misapplication of section 11 U.S.C. § 349(b)(3) concerning the effect of dismissal of a bankruptcy. The Supreme Court of Georgia concluded that the Petitioner failed to request the proper relief to correct said failure by not seeking to have the Deed Under Power entered after the foreclosure removed from the property records so as to comport with the law. However, the facts show that

both the original owner, Mr. Roebuck, and Mr. Vereen sought to have the deed set aside. Mr. Roebuck requested said relief directly from the bankruptcy court in July 2003, in the same motion which sought to have the Order Lifting the Automatic Stay vacated. Mr. Vereen requested the same relief in his first Quiet Title action filed May 2, 2003 (DeKalb County Sup. Ct. 03-CV-4973).

Furthermore, the Supreme Court of Georgia stated that it would not weigh the relative merits of the bankruptcy court's orders concerning the foreclosure sale and its validity. However, by disregarding 11 U.S.C. § 349(b)(3), this is exactly what occurred. The effect of allowing the foreclosure to stand ratified those bankruptcy court orders that accepted the validity of the foreclosure even though (1) the title had been acquired by mortgage fraud and (2) the party who foreclosed did not have clear title. 11 U.S.C. § 349(b)(3) clearly states that upon dismissal, the property revests in the entity which held it immediately prior to the bankruptcy filing.

II. The disregard of said bankruptcy law is an issue of independent importance and should be considered by this Court because of its reaching national implication.

Because personal bankruptcy is governed by federal law, to have one state disregard the explicit language of 11 U.S.C. § 349(b)(3) and the order of the federal bankruptcy court judge dismissed the

bankruptcy and rendering all orders null and void, it places at risk the jurisdiction of the federal court over said matter. If states can disregard the federal law and the federal court orders concerning the bankruptcy matter, there will be no legal arena to which parties can turn for relief when laws are being at best, misinterpreted and at worst, blatantly ignored.

CONCLUSION

For the foregoing reasons, as well as those contained in the Petition for Writ of Certiorari, the Petition for Rehearing should be granted, the Petition for Writ should be granted and Petitioner respectfully requests this Honorable Court issue a writ of certiorari to the Supreme Court of the State of Georgia. Alternatively, Petitioner respectfully requests that the Petition for Rehearing be granted, the Petition for Writ of Certiorari be granted and this Honorable Court remand this matter for further proceedings.

Respectfully submitted,

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CERTIFICATE OF PETITIONER

The undersigned, Petitioner Solomon Vereen, hereby certifies that this Petition for Rehearing is submitted in good faith and not for delay. This Petition for Rehearing is restricted to the grounds set out in Rule 44.2.

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Solomon Vereen, Petitioner